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EXEMPTIONS Section 3(b)

(2)(A) Privacy ☐

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12 March 1979

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MEMORANDUM FOR: General Counsel

FROM : C
Office of General Counsel

FOR COORDINATION WITH DOJ/OST

SUBJECT : Otto Albrecht Alfred Von Bolschwing -
Possible Violation of 18 USC 1001
and 1015 (False Statements to the
U.S. Government) (S)

1. The attached letter to Martin Mendelsohn of the Justice Department Special Litigation Unit has been prepared for your signature. Because of the possible significance of this case, I felt you should be advised of the details. (U)

2. In July of 1978, Mr. Mendelsohn was considering using Von Bolschwing as a witness against Valerian Trifa in U.S. v. Trifa. Trifa is believed to be a Nazi war criminal who falsified his naturalization papers when he emigrated to the United States. Mendelsohn is instituting "quasi-criminal" denaturalization proceedings against him. Mendelsohn knew of Von Bolschwing's membership in the Nazi Party, but evidently felt he could be a useful witness. On 18 July 1978 Gene Thirolf of Mendelsohn's office wrote the Agency, requesting a name trace on a number of potential witnesses, including Von Bolschwing. (S)

3. The DDO search turned up the following information. Von Bolschwing worked for the U.S. Military Government from 1945-46 in southern Bavaria. He worked in intelligence activities sponsored by CIA from 1947-54. The U.S. Government at that time was not aware of the extent of his Nazi background. When Adolph Eichmann was arrested in 1960, C of CI/R&A discovered evidence in captured German documents indicating that Von Bolschwing had concealed the extent of his Nazi Party membership, and also his connections with Adolph Eichmann, from the U.S. Government. The Agency apparently became aware of these facts in 1961. (S)

4. Early in the war, Von Bolschwing had worked under Eichmann, evidently in connection with the confiscation of Jewish properties. There is no evidence that he was involved in Eichmann's more villainous activities. (S)

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5. Throughout his association with the Agency, Von Bolschwing has described himself as an opportunistic businessman who acquired his Nazi Party membership and military position through bribery, fraud, extortion and family connections. He paints the picture of a man who has survived, and possibly prospered, by continually duping and victimizing the hapless Nazis and the oafish Gestapo, something along the lines of a "Hogan's Heroes" episode. He recounts how he had been continually warned and arrested by the Gestapo, only to be released through bribery and connections, all the while working to thwart Nazi aims from within. Although Von Bolschwing's story sounds a bit self-serving, the Agency apparently had no concrete information to contradict it until 1961, following the Eichmann arrest. (S)

6. [] of DDO and I agreed that we would have to advise the Justice Department of Von Bolschwing's activities, and of their scope, and I did so in my letter of 2 February 1979 to Mr. Mendelsohn and in the meeting with Messrs. [] Mendelsohn, and Thirolf on 27 February 1979. At that meeting, Mendelsohn and Thirolf were given the details concerning Von Bolschwing's activities. The next day, Mendelsohn sent a letter formally requesting access to our records. (S)

7. It now appears that the Justice Department is viewing Von Bolschwing more as a defendant than a witness. In the event Von Bolschwing is prosecuted in the quasi-criminal denaturalization proceedings, and his past relationship with the Agency becomes public knowledge, the Agency will likely be criticized on three grounds:

(1) It is possible that the Agency either knew or should have known in 1947 of Von Bolschwing's Nazi activities from captured German documents;

(2) The Agency discovered in 1961 that Von Bolschwing had worked under Eichmann and had possibly falsified his naturalization papers, yet remained silent; and

(3) According to the Chief of CIA's Eastern Europe Division, in a memorandum dated 10 May 1961, Von Bolschwing "was assisted in his immigration and naturalization [in 1954 and 1959] by CIA..."

The obvious questions will then arise: Did the Agency know the full extent of Von Bolschwing's activities in 1947? Were captured German documents in Berlin concerning Von Bolschwing examined in 1947? If not, why not? If so, did they describe Von Bolschwing's activities? Why did the Agency remain silent in 1961 when Von Bolschwing's relationship with Eichmann was discovered? And what was the extent of Agency "assistance" to Von Bolschwing when he emigrated to the United States? Did the Agency encourage him to omit his Nazi Party membership from his application? Was a secret arrangement made with INS in 1959? (S)

8. We should also anticipate discussions with the Justice Department in the near future concerning the amount and nature of information that can be declassified for prosecution. Classified information that might be relevant to the case would include information relating to CIA liaison with INS, the identities of possible witnesses, and the text of CIA records on Von Bolschwing (which measure approximately two linear feet). (S)

9. The DDO will be advising the DCI of the situation in a DDO Spot Report. (S)

[]

Attachment

MJB/rs

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